

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

PREMERA BLUE CROSS

Plaintiff,

v.

MARY WINZ, TRACIE LESAN, JOYCE  
ARLENE NELSON (f/k/a JOYCE  
ARLENE LESAN)

Defendants.

NO.: CV17-00695-BAT

**AFFIDAVIT**

Before me, the undersigned authority, this day personally appeared Daniel W. Nason, who being duly sworn by me, deposed as follows:

My name is Daniel W. Nason. I am of sound mind, capable of making this Affidavit, and personally acquainted with the facts herein stated:

I serve as Sr. Relationship Manager of The Vanguard Group, Inc. ("Vanguard"). I declare as follows:

1. Vanguard is the recordkeeper for the Premera 401(k) Savings Plan. Gerald Lesan was a participant in the Plan.
2. Vanguard began tracking beneficiary designations for the Plan via the online beneficiary tracking service in November, 2014. The online beneficiary tracking service is a regular activity that Vanguard conducts as its role as recordkeeper should the Plan request the service.
3. Vanguard has no record of Gerald Lesan making an online beneficiary designation with Vanguard between the period November, 2014 through December 31, 2016.
4. Vanguard began providing QDRO determination services for the Plan as of May 1, 2014. On or about March 29, 2017, Vanguard received a DRO which provided that the Alternate Payee, Joyce Lesan, receive a portion of Mr. Lesan's account balance in the Plan. The DRO was qualified, and Joyce Lesan, pursuant to the terms and provisions of the QDRO, received a portion of Mr. Lesan's account in the Plan equal to 50% of Mr. Lesan's balance in the Plan as of December 12, 2016. Please note that the Order failed to specify whether or not the Alternate Payee's assignment was to be subject to earnings and losses subsequent to the specified valuation date. Accordingly, pursuant to the terms of the Plan, if an Order is silent regarding the calculation

of earnings and losses on an assigned benefit, then the Plan will include earnings and losses on the Alternate Payee's assigned benefit.

THE VANGUARD GROUP, INC.


  
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Daniel W. Nason  
Sr. Relationship Manager

COMMONWEALTH OF PENNSYLVANIA

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: SS  
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COUNTY OF CHESTER

Signed and sworn (or affirmed) before me on March 21, 2018 by Daniel W. Nason.

  
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Notary Public

